

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE SEPTEMBER 11 LITIGATION

MARY BAVIS,

Plaintiff,

-against-

UNITED AIRLINES, INC., et al.,

Defendants.

ALVIN K. HELLERSTEIN, U.S.D.J.:

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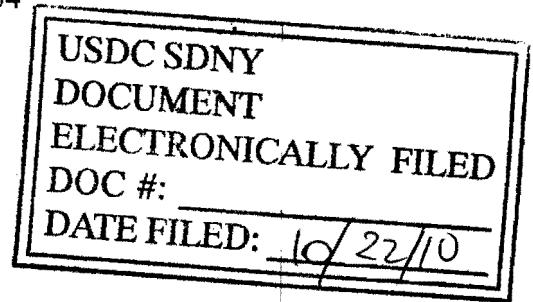
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**ORDER REGULATING
PROCEEDINGS**

21 MC 101 (AKH)

02 Civ. 7154



On October 20, 2010, various plaintiffs and defendants named in Bavis v. United Airlines, 02 Civ. 7154, World Trade Center Properties LLC v. United Airlines, 08 Civ. 3719, and World Trade Center Properties LLC v. American Airlines, 08 Civ. 3722, appeared before me for a status conference. The purpose of the conference was to frame the impending trial in Bavis, and to provide a timetable for various pretrial activities. For the reasons provided on the record, the litigation will proceed as follows.

1. The Bavis trial will go forward without consolidation with any other pending trial in the 21 MC 101 Master Calendar, including the cases docketed 08 Civ. 3719 and 08 Civ. 3722. It will be a single trial covering all issues of liability and damages.
2. By November 20, 2010, Plaintiff shall create a narrative of relevant historical facts to be read to the jury. By December 10, 2010, Defendants collectively shall produce a counter-narrative. If the parties have any disputes over their narratives, they shall submit them to the court in conformity with my Individual Rule 2E by

December 30, 2010. These narratives are to be of limited length, with a supporting citation for each fact given.

3. Also by November 20, 2010, Plaintiff shall provide to Defendants a list of fact witnesses, noting those witnesses Plaintiff has not yet deposed. Defendants shall furnish their own such list to Plaintiff by December 10, 2010. The lists shall be provided to the Court by December 30, 2010, and the parties thereafter have 30 days to complete all fact-witness depositions. If necessary, the Court will rule on the necessity of witnesses requested by either party.
4. A status conference will be held February 4, 2011, at 2:15pm.
5. The final pretrial conference shall be held beginning May 16, 2011, at 10:00am, and all that week until concluded. All motions *in limine*, voir dire requests, and jury charge requests shall be submitted prior to the conference for resolution at the conference. The pretrial order shall be signed at the final pretrial conference.
6. The trial will begin June 13, 2011, and end July 22, 2011. It shall be a timed trial, with each side receiving the same period of time to conduct their entire case.
7. Summations shall take place July 18, 2011, each side to have equal time, not to exceed two to two hours and thirty minutes for each side. The Court will instruct the jury on July 19, 2011, with jury deliberations to follow.

SO ORDERED.

Dated: October 22, 2010
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge